

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# **067-2016**

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: February 16, 2016

SUBJECT: **TOWN OF CUTLER BAY RESOLUTION**

Attached for your information is Resolution No. 16-06, adopted by the Mayor and Town Council of the Town of Cutler Bay on January 20, 2016.

A Resolution Of The Mayor And Town Council Of The Town Of Cutler Bay, Florida, Urging The Florida Legislature To Oppose House Bill 401 Which Provides Immunity From Liability For A Health Care Facility, Health Care Provider, Person, Closely Held Organization, Religious Institution, Business Owned Or Operated By Religious Institution, Or Private Child-Placing Agency That Refuses To Perform Certain Actions That Would Be Contrary To Religious Or Moral Convictions Or Policies; Providing For Transmittal; And Providing For An Effective Date.

The Town of Cutler Bay has requested that a copy of these resolutions be provided to the Miami Beach Mayor and Commissioners.

If you have any questions, please contact the Office of the City Clerk at 305.673.7411.

JLM/REG 

Attachment

RESOLUTION 16-06

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA, URGING
THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL
401 WHICH PROVIDES IMMUNITY FROM LIABILITY
FOR A HEALTH CARE FACILITY, HEALTH CARE
PROVIDER, PERSON, CLOSELY HELD ORGANIZATION,
RELIGIOUS INSTITUTION, BUSINESS OWNED OR
OPERATED BY RELIGIOUS INSTITUTION, OR PRIVATE
CHILD-PLACING AGENCY THAT REFUSES TO
PERFORM CERTAIN ACTIONS THAT WOULD BE
CONTRARY TO RELIGIOUS OR MORAL CONVICTIONS
OR POLICIES; PROVIDING FOR TRANSMITTAL; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on October 21, 2015, State Representative Julio Gonzales filed House Bill 401 which if passed will provide immunity from liability for a health care facility, health care provider, person, closely held organization, religious institution, business owned or operated religious institution, or private child-placing agency that refuses to perform certain actions that would be contrary to their religious or moral convictions or policies; and

WHEREAS, House Bill 401 contradicts the Town's Operating Principles and Civil Rights Policy; and

WHEREAS, the Town recognizes that the Miami-Dade County Board of County Commissioners recently expanded the Miami-Dade County Human Rights Ordinance to prohibit discrimination on the basis of gender identity and gender expression in housing, public accommodations, and employment; and

WHEREAS, the Town Council speaks with an unified voice with the City of Miami Beach (Resolution 2015-29215) and other municipalities and counties throughout the State that share our values of inclusion and nondiscrimination; and

WHEREAS, the Town Council finds that the adoption of this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

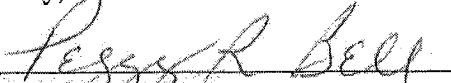
Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Town Council Opposition.** The Town Council stands with the City of Miami Beach and other cities and municipalities, in opposing House Bill 401 as outlined in the City of Miami Beach's Resolution No. 2015-29215 (Exhibit "A").

Section 3. Transmittal. The Town Clerk is hereby directed to transmit a copy of this Resolution to the State of Florida Governor Rick Scott, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and other Florida local governments that share our commitment of inclusion, diversity, and nondiscrimination, asking each to consider passing and transmitting similar resolutions.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.


PASSED and ADOPTED this 20th day of January, 2016.


PEGGY R. BELL
Mayor

Attest:


JACQUELINE N. WILSON
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:


WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved by: Council Member Coriat
Second by: Council Member Mixon

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell	YES
Vice Mayor Ernest N. Sochin	YES
Council Member Roger Coriat	YES
Council Member Sue Ellen Loyzelle	YES
Council Member Mary Ann Mixon	YES